

1974 WL 28054 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 6, 1974

**\*1 Re: Public Defender Corporation of Marion County**

Malcolm C. Woods, Jr., Esquire

Attorney at Law

Post Office Drawer 750

Marion, South Carolina 29571

Dear Mr. Woods:

Your letter of recent date addressed to the Attorney General has been referred to me for consideration and reply.

In your letter you asked if the county could be compelled to provide a supplement to the State appropriation, and if not, whether we know how the State might be persuaded to increase its contribution.

I know of no method whereby any action can be taken against the subdivision of the State to compel an appropriation for the purposes of supplementing the State allocation under the Defense of Indigents Act. I am talking specifically only about those counties wherein they have incorporated and are maintaining a public defender corporation such as Marion County and where the State Treasurer's Office forwards to you each month one twelfth ( $\frac{1}{12}$ ) of your annual appropriation. As to how the State may be persuaded to increase its allocation, I can state that the Public Defender's Association has made strenuous efforts this year to have the overall State appropriation increased including an appearance before the State Budget and Control Board and also before the House Ways and Means Committee urging an increase in the appropriation. I personally attended and testified at both of these meetings, and I believe that there may be an increase in the present allocation from \$150 per 1000 population in the county to \$300 and this, of course, would double the present allocation. The General Appropriation Act should be introduced in the General Assembly very shortly and then we will have a clear reading as to what recommendation the House Ways and Means Committee made.

If I pick up any information, I will certainly forward the same to you.

With warm personal regards,

Very truly yours,

Raymond G. Halford

Assistant Attorney General

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